

REMARKS

GENERALLY

A current and Non-final Office Action is dated 07/28/2006. In this current Office Action, claims 38-71 were examined, and claims 38-71 were rejected.

With this current Reply, no claims are canceled or added. Hence, claims 38-71 continue to be presented for examination.

SUMMARY OF THE CURRENT OFFICE ACTION

Generally, the current Office Action objected to claims 54 and 71; rejected claims 38-69 under 35 U.S.C. §101; rejected claims 38-71 under 35 U.S.C. §112; and rejected claims 38-71 under 35 U.S.C. §103(a).

Specifically, the current Office Action reads as follows (in pertinent parts):

2. Claims 38-69 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter because "medium", i.e. claims 38 and 54, is defined in the specification being intangible. The "medium" as defined on page 6 lines 17-23 of the specification as including intangible media such as data signal, carrier wave, etc. The applicant has just claimed the signal and carrier wave for the computer readable medium. An appropriate correction is required. Other claims are also rejected because of their dependency.

1 4. Claims 38-71 are rejected under 35 U.S.C. 112, second paragraph, as
2 being indefinite for failing to particularly point out and distinctly claim the
3 subject matter which applicant regards as the invention.

4 For example, independent claims 38, 54, 70, and 71 show that the
5 performing the function is not a positive limitation by each node "capable of"
6 making one or more resources to perform the function (the phrase "capable of"
7 can be found in other claims) which can be interpreted as whether the function
8 can be performed as claimed or not. Other claims are also rejected because of
9 their dependency.

10 5. Claims 54 and 71 are objected to under 37 CFR 1.75 as being a
11 substantial duplicate of claims 38 and 70. When two claims in an application are
12 duplicates or else are so close in content that they both cover the same thing,
13 despite a slight difference in wording, it is proper after allowing one claim to
14 object to the other as being a substantial duplicate of the allowed claim. See
15 MPEP § 706.03(k).

16 7. Claims 38-45, and 51-71 are rejected under 35 U.S.C. 103(a) as being
17 unpatentable over Nolan (Nolan, U.S. Patent No. 5,933,599) in view of Alimpich
18 et al. (Alimpich, U.S. Patent No. 6,281,896 B1).

19 8. Claims 46-50 are rejected under 35 U.S.C. 103(a) as being
20 unpatentable over Nolan (U.S. Patent No. 5,933,599) in view of Alimpich et al.
21 (U.S. Patent No. 6,281,896 B1), and further in view of Mikkonen (U.S. Patent
22 No. 6,885,633 B1).

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1 RESPONSE TO DOUBLE PATENTING OBJECTIONS UNDER 37 CFR 1.75

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3 It is respectfully submitted that claims 54 and 71 are not “substantial
4 duplicate[s]” of claims 38 and 70.

5 Claims 54 and 71 recite **displaying in a third pane a plurality of member**
6 **representations.** In contrast, claims 38 and 70 recite **displaying in a third pane a**
7 **plurality of computer representations.**

8 The original written description of the instant Patent Application discloses
9 the differences between a “member” and a “computer”. For example, from page 2
10 and the second paragraph of page 11 of the instant Patent Application, it is evident
11 that “member” is a person, including but not limited to individuals, test engineers,
12 employees, and so forth. In contrast, “computer” is an actual physical apparatus,
13 as is evidenced by, e.g., the first full paragraph on page 10 of the instant Patent
14 Application.

15 Consequently, claims 54 and 71 are not “substantial duplicate[s]” of claims
16 38 and 70. Accordingly, it is respectfully requested that the objections of claims
17 54 and 71 (and/or 38 and 70) under 37 CFR 1.75 be withdrawn.

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20 RESPONSE TO REJECTIONS UNDER 35 U.S.C. §101

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23 It is respectfully submitted that claims 38-69 were previously directed to
24 statutory subject matter under 35 U.S.C. 101. Nevertheless, to facilitate the
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1 allowance of the instant Patent Application and to expedite its ultimate issuance as
2 U.S. Patent, claims 38-69 have been amended to recite --storage medium--.

3 Accordingly, it is respectfully requested that the rejections of claims 38-69
4 under 35 U.S.C. 101 be withdrawn.

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8 RESPONSE TO REJECTIONS UNDER 35 U.S.C. §112

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10 It is respectfully submitted that claims 38-71 were previously definite and
11 previously fully comported with 35 U.S.C. 112, second paragraph. Nevertheless,
12 to facilitate the allowance of the instant Patent Application and to expedite its
13 ultimate issuance as U.S. Patent, independent claims 38, 54, 70, and 71 have been
14 amended by replacing “capable of” with --adapted to make, upon selection,--.

15 Accordingly, it is respectfully requested that the rejections of claims 38-71
16 under 35 U.S.C. 112, second paragraph, be withdrawn.

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1 RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

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3 Of pending claims 38-71, four claims are independent: claims 38, 54, 70,
4 and 71.

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6 It is respectfully submitted that none of the art of record anticipates or
7 renders obvious four different panes having the elements and attributes as recited
8 in claims 38, 54, 70, and 71.

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10 A. Nolan (US 5,933,599) illustrates three panes in FIG. 23.

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12 FIG. 23 of Nolan includes three total panes. There are two panes 402 and
13 404 in window 400 and one pane for window 2300. (The reference number for
14 pane 404 appears to have been inadvertently omitted from FIG. 23.) Nolan reads
15 at Column 25, Lines 24-36 as follows:

16 Referring now to FIG. 23, the user interface associated with the creation
17 of a shortcut is shown. FIG. 23 contains the two-pane window 400 created by the
18 Win 95 Explorer and a second window 2300 which displays the contents of a
19 user's local file system. The hierarchy map in the left pane 402 shows that the
20 user is in the gardening folder node 204j. The right pane 404 shows the contents
21 of the gardening folder node 204j which contains the gardening bulletin board
22 204c. The second window 2300 shows the contents of a folder in the user's local
file system. The contents include a documents folder, a letters folder a document
named notes.doc and a shortcut 2302 to the gardening bulletin board 204c.

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24 B. Alimpich et al. (US 6,281,896) illustrates three panes in Figs. 2-6.

1 Figs. 2-6 of Alimpich et al. includes three total panes. These three total
2 panes are region 50, region 51, and region 54. Alimpich et al. reads at Column 4,
3 Lines 58-65 and at Column 5, Lines 18-27 as follows:

4 The display screen of FIG. 2 shows a first portion of a hierarchical tree
5 52 in region 50 which represents a hierarchy of available printers involved in the
6 printer production operations being controlled. Also shown is a second tree
7 portion 53 in screen region 51 which is a list of retained jobs awaiting
8 assignment to printers or other disposal. It should be noted that the objects in
tree portions 52 and 53 may be parts of the same overall tree.

9 [...]

10 In order for the user controlling the printing operation to assign jobs to
11 printers, he may need further information: expanded views giving details of the
12 jobs in tree portion 53 and the printers in tree portion 52. Region 54 in the screen
13 of FIG. 2 is provided for such expanded views. Assume that he first wishes
14 available printer details, as shown in FIG. 3, he selects Printer object 59 which
becomes highlighted, and he gets the expanded or detail view 56 of all of
Printer1 through Printer4 which may be considered the child objects of Printer
object 59.

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16 C. It is respectfully submitted that the current Office Action does not
17 adequately explain how either one or both of documents Nolan and Alimpich et al.
18 describe or suggest four interrelated panes as recited in claims 38, 54, 70, and 71.

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20 The current Office Action reads in the first paragraph on page 5 as follows:
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22 displaying in a third pane a plurality of computer representations, each
23 respective computer representation of the plurality of computer representations
24 corresponding to a respective computer that can be used to contribute to the
collaboration (*Nolan inherently teaches the feature because (if) the Computers*
and Software directory/folder/link from the first pane 402 is selected, then the
second pane 204c would absolutely contain a list of computers/users or software

available under that directory, and then if the user selects/clicks on an individual computer or software listing in the second pane 204c, *the third pane will show performance tasks or other information regarding that computer in another pane/window (fourth pane)*); and
(*italicized* emphasis added)

This rejection asserts a number of hypothetical issues for the alleged inherency to exist in Nolan. Even assuming, *arguendo*:

(i) that selection of “Computers and Software” from first pane 402 “absolutely” produces “a list of computers/users or software available under that directory” in a second pane 404 (not correctly numbered in FIG. 23; see corresponding text);

(ii) that selecting “an individual computer or software listing in the second pane [404]” produces a third pane; and

(iii) that “the third pane will show performance tasks or other information regarding that computer in another pane/window”,

there is no creation, production, presentation, or appearance of a fourth pane, especially one that includes the recited elements of the fourth pane and/or the claimed interrelationships between and among the four claimed panes. The “performance tasks or other information regarding that computer” would be shown in the third pane of window 2300.

The rejection as reproduced above includes a parenthetical assertion as to the existence of a “(fourth pane)”. There does not appear to be any supporting citation for the existence of such a fourth pane.

1 Because independent claims 38, 54, 70, and 71 each include first, second,
2 third, and fourth panes, it is respectfully submitted that neither Nolan nor Alimpich
3 et al., either alone or in any combination, are capable of anticipating or rendering
4 obvious these claims.

5 Moreover, each of independent claims 38, 54, 70, and 71 now additionally
6 includes the following element(s) that further differentiate the claimed invention
7 from any and all art of record: **adding a task to the multiple tasks of the work**
8 **queue when a link of the one or more links from the second pane is dropped**
9 **at the fourth pane.**

10 Accordingly, it is respectfully requested that the rejections of claims 38, 54,
11 70, and 71 under 35 U.S.C. 103(a) be withdrawn.

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14 Reasons for the allowability of independent claims 38 and 54 have been
15 provided above. They have respective dependent claims 39-53 and 55-69 that
16 depend directly or indirectly from them. Although each also includes additional
17 element(s) militating toward allowability, these dependent claims are allowable at
18 least for the reasons given above in connection with their respective independent
19 claims.

CONCLUSION

It is respectfully submitted that all pending claims 38-71 are allowable. It is therefore respectfully requested that the Office pass the instant Patent Application to issue with all due haste.

Respectfully Submitted,

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